

#3  
3763

Patent  
262/280



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ) Group Art Unit: 3763  
William N. Aldrich, et al. ) Examiner: Not yet assigned  
Serial No.: 10/081,723 )  
Filed: February 21, 2002 )  
For: Apparatus and Methods for Delivering a )  
Closure Device )

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TC 3700 MAIL ROOM

### INFORMATION DISCLOSURE STATEMENT

Box Non-Fee  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

#### INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

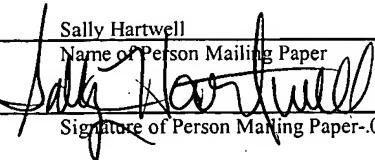
- This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR §

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

July 25, 2002  
Date of Deposit

\_\_\_\_\_  
Sally Hartwell  
Name of Person Mailing Paper  
  
\_\_\_\_\_  
Sally Hartwell  
Signature of Person Mailing Paper-0

1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
  - The fee due under 37 CFR § 1.17(p) is submitted herewith.
  - A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

- Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).  
 Please charge \_\_\_\_\_ to Deposit Account No. **12-2475** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Dated: July 25, 2002

By:

Respectfully submitted,  
LYON & LYON LLP  
  
William A. English  
Reg. No. 42,515



22249

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ATTY. DOCKET NO.  
262/280SERIAL NO.  
10/081,723

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

APPLICANT:  
W. Martin Belef, et al.FILING DATE:  
February 21, 2002GROUP:  
3763

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	1. 3,586,002	1/22/1977	Wood			
	2. 3,604,425	9/14/1971	LeRoy			
	3. 3,677,243	7/18/1972	Nerz			
	4. 3,757,629	9/11/1973	Schneider			
	5. 3,805,337	4/23/1974	Branstetter			
	6. 4,192,315	3/11/1980	Hilzinger, et al.			
	7. 4,217,902	8/19/1980	March			
	8. 4,345,606	8/24/1982	Littleford			
	9. 4,396,139	8/2/1983	Hall, et al.			
	10. 4,411,654	10/25/1983	Boarini, et al.			
	11. 4,412,832	11/1/1983	Kling, et al.			
	12. 4,485,816	12/4/1984	Krumme			
	13. 4,505,274	3/19/1985	Speelman			
	14. RE 31,855	3/26/1985	Osborn			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	TRANSLATION NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

15.	PCT Publication No. WO 00/07640, "Vascular Suction Cannula, Dialator and Surgical Stapler", 2/17/00.
16.	PCT Publication No. WO 00/56227, entitled "Advanced Closure Device", 9/28/2000.
17.	PCT Publication No. WO 00/56223 entitled "Vascular Closure Device", 9/28/2000.
18.	PCT Publication No. WO 99/62408 entitled "Vascular Port Device", 12/9/1999.

EXAMINER:  
Not yet assigned

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609;  
 Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL / TRADE NAME	MARK OFFICE	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
		19. 4,586,503	5/6/1986	Kirsch, et al.			
		20. 4,687,469	8/18/1987	Osypka			
		21. 4,772,266	9/20/1988	Groshong			
		22. 4,777,950	10/18/1988	Kees, Jr.			
		23. 4,860,746	8/29/1989	Yoon			
		24. 4,865,026	9/12/1989	Barrett			
		25. 4,917,087	4/17/1990	Walsh, et al.			
		26. 4,950,258	8/21/1990	Kawai, et al.			
		27. 5,007,921	4/16/1991	Brown			
		28. 5,026,390	6/25/1991	Brown			
		29. 5,053,008	10/1/1991	Bajaj			
		30. 5,108,420	4/28/1992	Marks			
		31. 5,156,609	10/20/1992	Nakao, et al.			
		32. 5,167,643	12/1/1992	Corrigan, Jr., et al.			
		33. 5,176,648	1/5/1993	Holmes, et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	34.	PCT Publication No. WO 98/24374, "Vascular Wound Closure System", Yong Zhu, et al., 6/11/98.
	35.	PCT Publication No. WO 97/20505, "Vascular Wound Closure Device", Yong Zhu, et al., 6/12/97.

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(Use several sheets if necessary)

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	36. 5,192,302	3/9/1993	Kensey, et al.			
	37. 5,222,974	6/29/1993	Kensey, et al.			
	38. 5,275,616	1/4/1994	Fowler			
	39. 5,304,184	4/19/1994	Hathaway, et al.			
	40. 5,318,542	6/7/1994	Hirsch, et al.			
	41. 5,334,217	8/2/1994	Das			
	42. 5,366,458	11/22/1994	Korthoff, et al.			
	43. 5,478,354	12/26/1995	Tovey, et al.			
	44. 5,527,322	6/18/1996	Klein, et al.			
	45. 5,674,231	10/7/1997	Green, et al.			

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	46.	5,683,405	11/4/1997	Yacoubian, et al.			
	47.	5,695,505	12/9/1997	Yoon			
	48.	5,782,844	7/21/1998	Yoon, et al.			
	49.	5,782,860	7/21/1998	Epstein, et al.			
	50.	5,782,861	7/21/1998	Cragg, et al.			
	51.	5,810,846	9/22/1998	Virnich, et al.			
	52.	5,810,851	9/22/1998	Yoon			
	53.	5,817,113	10/1998	Gifford			
	54.	5,820,631	10/1998	Nobles			
	55.	5,830,125	11/3/1998	Scribner, et al.			
	56.	5,879,366	3/9/1999	Shaw, et al.			
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	58.	5,922,009	7/13/1999	Epstein, et al.			
	59.	5,951,518	9/14/1999	Licata, et al.			
	60.	5,951,589	9/14/1999	Epstein, et al.			
	61.	5,964,782	10/1999	LaFontaine, et al.			
	62.	5,984,934	11/16/1999	Ashby, et al.			
	63.	6,007,563	12/28/1999	Nash, et al.			
	64.	6,036,720	3/14/2000	Abrams, et al.			
	65.	6,045,570	4/4/2000	Epstein, et al.			
	66.	6,056,770	5/2/2000	Epstein, et al.			
	67.	6,056,769	5/2/2000	Epstein, et al.			
	68.	6,063,085	5/16/2000	Tay, et al.			
	69.	6,077,281	6/20/2000	Das			
	70.	6,077,291	6/20/2000	Das			
	71.	6,080,182	6/27/2000	Shaw			
	72.	6,080,183	6/27/2000	Tsugita, et al.			
	73.	6,120,524	9/2000	Taheri			

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